

EXHIBIT 123

2/26/2025

Richard Kadrey, et al. v. Meta Platforms, Inc.
Highly Confidential - Attorneys' Eyes Only

Lyle Ungar

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

RICHARD KADREY, et al.,)
Individual and Representative)
Plaintiffs,) CASE NO.
) 3:23-cv-03417-
-against-) VC
META PLATFORMS, INC.,)
Defendant.)
)

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

Videotaped Deposition of Lyle Ungar
Philadelphia, Pennsylvania
Wednesday, February 26, 2025
Reported Stenographically by
Jennifer Miller, RMR, CRR, CSR No. 14652

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1 is can you take the training data -- can you 11:43:33
2 take the weights in a neural net and 11:43:37
3 reconstruct the training data? 11:43:39
4 That is also definitely not 11:43:40
5 possible. 11:43:43
6 Q. Okay. 11:43:44
7 A. Again, modulo, minor -- you know, in 11:43:46
8 rare, rare occasions you may be able to 11:43:50
9 reproduce little pieces of it. 11:43:53
10 Q. Understood. 11:43:54
11 And you, in fact, conducted some 11:43:54
12 of those experiments yourself, right, in the 11:43:58
13 process of your expert work in this case, 11:44:00
14 right? 11:44:05
15 ATTORNEY MORTON: Object to 11:44:06
16 form. 11:44:06
17 THE WITNESS: I constructed some 11:44:09
18 experiments. I'm not sure what "those" 11:44:10
19 means there. But I conducted experiments, 11:44:14
20 yes. 11:44:15
21 BY ATTORNEY YOUNG:
22 Q. Okay. And including testing for 11:44:16
23 whether or not the Llama models or certain of 11:44:17
24 the Llama models that you tested were able to 11:44:19
25 continue passages of tokens from certain works 11:44:22

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1 that you fed into the model, correct? 11:44:28

2 A. Correct. 11:44:36

3 Q. Okay. And just to be clear, you did, 11:44:36

4 indeed, find that it was able to continue at 11:44:37

5 least for some token lengths, right? 11:44:43

6 ATTORNEY MORTON: Object to 11:44:45

7 form. 11:44:45

8 THE WITNESS: What I found was 11:44:46

9 an average for each book, one short 11:44:46

10 passage of roughly 50 tokens could, with 11:44:52

11 some statistical probability, be 11:44:57

12 reconstructed under these specialized 11:44:59

13 circumstances designed to make it as easy 11:45:02

14 as possible to reconstruct them. 11:45:05

15 BY ATTORNEY YOUNG: 11:45:07

16 Q. And you report averages in your 11:45:07

17 report, right? 11:45:12

18 A. I report several different averages. 11:45:14

19 I'm not quite sure what you're referring to. 11:45:17

20 Which averages? 11:45:19

21 Q. I'll clarify that in a bit. 11:45:22

22 So if we were to turn -- can you 11:45:27

23 please turn to paragraph 90 of your opening 11:45:34

24 report, please? 11:45:37

25 A. Sorry. 9-0? 11:45:38

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CERTIFICATE

2

3 I HEREBY CERTIFY that the

4 proceedings, evidence and objections are

5 contained fully and accurately in the

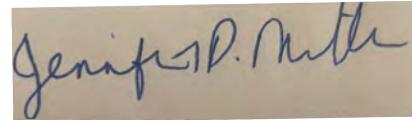
6 stenographic notes taken by me upon the

7 deposition of Lyle Ungar, taken on

8 2/26/25 and that this is a true and correct

9 transcript of same.

10



11

12

13

Jennifer Miller, RMR, CCR, CRR

14

and Notary Public

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